

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**DIXIE L. GRALEY RUSSELL,**

**Plaintiff,**

**vs.**

**Case No.: 2:16-cv-572  
JUDGE SMITH  
Magistrate Judge Deavers**

**CHECKSMART,**

**Defendant.**

**ORDER**

On June 23, 2016, the United States Magistrate Judge issued an *Order and Report and Recommendation* recommending that Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* be granted, but that Plaintiff's Complaint be dismissed for failure to state a claim for which this Court can grant relief. (*See* Doc. 2). The parties were specifically advised of their right to object to the *Order and Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Order and Report and Recommendation*.

Accordingly, the *Order and Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. Plaintiff's Complaint is hereby dismissed for failure to assert a claim over which this Court has subject matter jurisdiction.

The Clerk shall remove Document 2 from the Court's pending motions list and close this case.

**IT IS SO ORDERED.**

/s/ George C. Smith  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**